

2023 VA Permanent Housing Conference

Legal Services to Create Successful Housing Outcomes



Implementing & Coordinating with Legal Services to Create Successful Housing Outcomes

Best Practices for a successful SSVF and Legal Aid
partnership

Nicole McCoy, Esq.

Program Director
Veterans Multi-Service Center
Pennsylvania/New Jersey/Delaware



Richard A.J. Prebil, Esq.

Supervising Attorney, Veterans Unit
Legal Aid of Southeastern PA
Chester, PA



Legal Aid
of Southeastern PA



Introduction

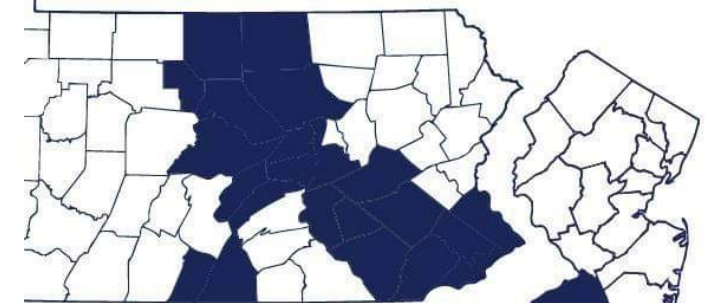


Veterans Multi-Service Center

Nicole McCoy, Esq. – Program Director

The Veterans Multi-Service Center (VMC) was founded in 1980 and serves over 6,500 Veteran families annually throughout the tri-state area of Pennsylvania, Delaware, and New Jersey, with housing, income and outreach services.

Our SSVF grant works with 7 Legal Aid providers to advance our mission around housing, income and outreach



**VMC SERVES
VETERANS**

**IN PENNSYLVANIA,
DELAWARE, AND
SOUTHERN NEW JERSEY**



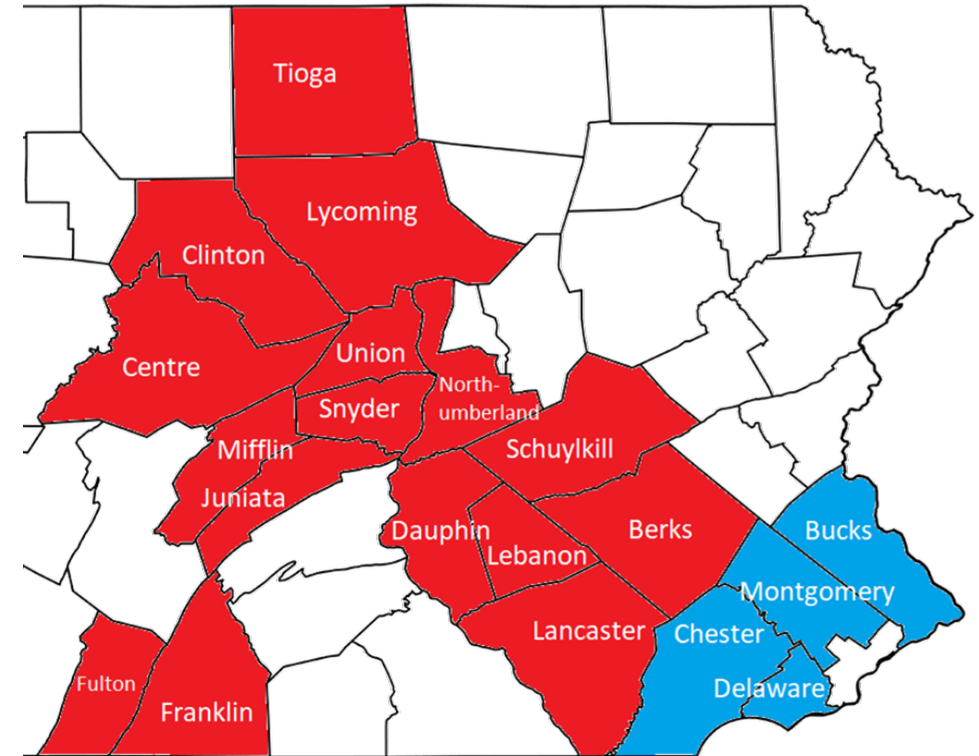
Introduction



Legal Aid of Southeastern PA

Richard A.J. Prebil, Esq. – Supervising Attorney

- Provide quality legal representation to low-income people in Southeastern PA, to empower them to solve problems without legal representation through legal education and increased access to the courts, and to change community practices and systems that cause or aggravate poverty.
- LASP's Veterans Unit was established in mid-2020 to provide legal services to veterans, specifically with VA benefits and military discharge upgrades
- Dedicated veterans helpline



VETERANS

LASP's **Veterans Advocacy Project** provides free civil legal aid for veterans in multiple areas of the law

VETERANS HELPLINE: 610-283-0884



Why Legal Services?



- 9 out of the 10 highest unmet needs for unhoused veterans have a legal remedy (criminal records; credit issues; discharge upgrades; eviction and foreclosure)¹
- Many Legal Services organizations must turn away nearly 50% of the requests they receive due to limited resources. This proves the necessity of the SSVF legal service provider ²
- According to Legal Services Corp. Justice Gap report of 2022, 76% of low-income veteran households experienced at least one civil legal problem in the past year and 44% experienced at least 5 civil legal problems
- Tenants facing eviction proceedings, who had no legal aid, remained in their homes 14% of the time; while those who received full representation remained in their homes 55% of the time³



Legal Services As Rapid Resolution



- Legal Services is a VERY effective tool to use during initial assessment and crisis response because legal services can identify illegal and discriminatory actions impacting housing and resolve the housing crisis same day
- An attorney can act as a mediator between the Veteran and a landlord or the Veteran and a court proceeding and to help prevent homelessness and reduce the duration of homelessness
- An attorney as an advocate can reduce the trauma and expense associated with extended periods of homelessness and the strain on the housing crisis response system and affordable housing resources in the community



Creating Partnerships



Initial Contact & Getting Legal Aid Onboard

- SSVF has given us the flexibility to choose what type of legal partnership we can choose- A Legal Aid Society, In-House Counsel or a private attorney
 - We Choose Legal Aid because we share a mission of homelessness and poverty
- This initial contact is crucial
- During this initial conversation and throughout this entire process
 - THE thing to remember is that YOU are the funder and that the **legal provider MUST abide by SSVF requirements.**
 - No matter what pushback you get from the legal provider-you must ALWAYS remind them that YOU are THE FUNDER and they must abide by SSVF rules.



Creating Partnerships



- When you leave here- How to make initial contact?
 - Research local Legal Aids in your service area
 - Find out who the Executive Director is and call, email, (most likely multiple times) and make “pitch”
 - This process can be overwhelming to suddenly have to “deal” with an attorney-which is why we are doing this training
- Who from your organization, can help you make that initial contact to a legal provider?
 - Executive Director—You may need some ‘credibility’ of who you are and why you are calling
 - Board of Directors—Hopefully someone has a connection that could help with this process
 - Donor



Creating Partnerships



Grants Management—Legal Services

- Not all Legal Providers offer ALL of the topics that are SSVF allowable costs.
- Legal services offered to veterans, per SSVF Program Guide, can include:
 - VA benefits and military discharge upgrades (connected to housing stability)
 - Eviction defense and landlord/tenant
 - SSI/SSDI applications and appeals (SOAR)
 - Expungements, pardons, sealings; outstanding court fees, etc.
 - Bankruptcy/debt collection
 - Obtaining domestic violence protection from abuse order
 - Drivers license reinstatement



Creating Partnerships



MOU Best Practices—MOU doubling as Policy Manual

A comprehensive MOU includes the following:

- ✓ 6-month timeframe
- ✓ Service area covered
- ✓ Referral and prioritization of SSVF eligible clients
- ✓ Scope of work/areas of legal practice
- ✓ Admin and invoicing requirements
- ✓ Price Point per file opened
- ✓ Required outcomes report
- ✓ Management and monitoring of legal provider



Creating Partnerships



Best Practices—After signed MOU

- Collaborate with legal provider on details of legal needs assessment and referral process
- Establish point person at both agencies to be able to contact about referrals and questions
- Meet and Greet with your staff and legal provider as well as cross agency cultural competency trainings
- Yearly Certification of legal provider's liability insurance (as per SSVF regulations)



Creating Partnerships



Implementation of legal services—Legal Needs Assessment

VETERAN LEGAL NEEDS ASSESSMENT (9/6/23 VERSION)

DATE : _____

VETERAN PARTICIPANT (VP) NAME: _____

COUNTY OF RESIDENCE:

- Bucks
- Chester
- Delaware
- Montgomery

Case managers will submit/email this form to Nicole McCoy as well as print out a copy and place in section 3 of the Veteran's file. This referral will be entered into HMIS by the HMIS Data Specialist with the following note: "Referred to legal services to increase income and/or preserve housing".

Per VMC SSVF policy, all Veterans are immediately assessed for any life, safety threat issues at the point of contact. Staff should immediately alert their direct supervisor, and work to resolve the Veteran's immediate safety issue.

Note: If VP answers "NO" to all questions, please submit this form back to Nicole McCoy for VA tracking purposes.

Script for Legal Needs Assessment:

"Hello- I have some questions here that should only take about 5 minutes to answer. They are all yes or no questions and if you say yes to any of them, we will send this legal referral form to our legal service provider at no cost to you. These questions could help preserve housing or even increase your income."

YOU MUST INCLUDE A 214 WITH THIS REFERRAL-IF YOU DO NOT HAVE ONE-YOU MUST ORDER ONE IMMEDIATELY AND PUT THE DATE ORDERED HERE _____

LEGAL

- Do you have any legal stuff going on right now that may result in your being locked up or having to pay fines? YES NO
- Do you have a criminal record that you want expunged? YES NO

HOUSING

- Do you have pending or threatened eviction? YES NO

- Prioritize housing and income stabilizing issues
- The needs assessment is tailored to the geography and areas of practice of each legal provider
- Provide script that staff can use to ask specific questions regarding the legal issues

Do you want to apply for VA benefits?

vs.

Do you have a disability which you believe is from your time in service?



Creating Partnerships



Implementation—Monthly Reporting/Invoicing

- Require veterans’ names to make sure they are SSVF enrolled
- Include dates of referral and contact to ensure legal provider accountability
- Grantee must review invoice to verify all files opened are SSVF allowable
 - Unallowable costs types per the MOU, are not paid through SSVF; new invoice required

Veteran Name	Date Referral Received	Date of 1 st Attempt of Contact	Service Provided	\$ Amount
Sample Veteran	3/1/2023	3/3/2023	Landlord/Tenant	\$850.00
Another Veteran	3/14/2023	3/16/2023	SSI/SSDI issue	\$1250.00
N/A	3/23/2023 (date of training)	N/A	Landlord/Tenant Training	\$1000.00
			TOTAL:	\$3100.00



Collaboration



Referrals

- The referral form is a *living document* and has probably gone through 4 or 5 versions at this point between VMC/LASP

Ongoing training

- Provides additional layer of screening for immediate crisis-resolution with legal services
- Lunch w/ Lawyers
 - SSVF program guide now encourages issue-spotting training w/ subcontractor
- Trauma-informed lawyering





Lawyer/Client Relationship



- ABA Model Rules of Professional Conduct, Rule 1.6 – “A lawyer *shall not* reveal information relating to the representation of a client unless the *client gives informed consent* ...”
- Releases of Information
 - Preliminary, Limited information
 - Why? Needed for reporting per SSVF guidelines
 - Example: PLEASE NOTE, by filling out this form, you are consenting to Legal Aid of Southeastern PA contacting you to discuss your legal matter. You are also consenting to Legal Aid of Southeastern PA providing basic information to the organization providing this referral. LASP cannot guarantee further assistance until a determination on eligibility or merit can be made. Your participation is completely voluntary.
 - Full ROI-once enrolled with Legal Aid



Outcomes & Data



LASP advocates have ... Opened 875 files from VMC referrals

- 370 veterans benefits (VA benefits, overpayments, discharge upgrades)
- 255 criminal records expungements and other employment
- 89 landlord/tenant and subsidized housing
- 66 social security
- 30 bankruptcy and debtor relief
- 26 unemployment compensation
- 39 other

• The SSVF \$\$\$ saved by having legal providers

These metrics are from only 1 of the 7 legal service providers in Veteran Multi-Service Centers catchment area



Outcomes & Data



LASP advocates have ...

- Obtained **24 positive VA decisions**
 - \$380,263 in retroactive benefits
 - Average decision in 3.6 months
 - \$1,541 average monthly
 - \$10.38 MILLION increase in lifetime income
- Obtained **2 waivers of VA overpayments**
 - \$128,040 of indebtedness





Outcomes & Data



LASP advocates have ... Helped real people

- Dierdre: MST survivor with BCD
 - Found honorable for VA purposes
 - \$56,192 / \$3,600 / \$838,533
- Matthew: Had been continually denied by VA for mental health
 - \$55,716 / \$3,000 / \$738,877
- Jonathan: Street homeless
 - Decision in 60 days – \$9,800 / Nursing home access / \$1,663
 - Unable to work, applied for TDIU – \$21,391
 - Total retro: \$31,236; Total est. lifetime: \$857,000; income increased from \$0 to over \$3,600 per month
- Kevin: Unable to work, VSO had been using the wrong forms to apply for TDIU
 - Decision in 40 days
 - \$25,515 / +\$2,064 per month



Outcomes & Data



LASP advocates have ...

- Saved housing together with VMC, within 48 hours of a constable removal
 - VMC Program Manager after not being able to contact landlord, DROVE to the property management office and hand-delivered a promissory letter
- Waived court debt of over \$8,500, which will help criminal record be expunged or pardoned, from a criminal charge directly related to (soon to be) service-connected mental health condition
- Obtained unemployment compensation of over \$4,000 during the pandemic to stop an eviction



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Program Director
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nicole.mccoy@vmcenter.org
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Richard A.J. Prebil, Esq.

Supervising Attorney, Veterans Unit
Legal Aid of Southeastern PA
Chester, PA

rprebil@lasp.org
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